

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TOD THELEN,

Plaintiff,

v.

JOANNE BARNHART,

Defendant.

No. C 04-02696 JSW

ORDER UPON REMAND

On August 15, 2005, this Court granted the motion for summary judgment filed by Defendant¹ and denied the cross-motion for summary judgment filed by Plaintiff Tod Thelen ("Thelen"). On November 7, 2007, the Ninth Circuit reversed this Court's grant of summary judgment for Defendant and denial of Thelen's cross-motion, and remanded the above-captioned matter with instructions to remand to the Social Security Administration for reconsideration. Upon remand from the Ninth Circuit, the Court HEREBY REMANDS this matter to the Social Security Administration for further proceedings in accordance with the Ninth's Circuit's Order dated November 7, 2007.

IT IS SO ORDERED.

Dated: February 8, 2008


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

¹ On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Federal Rule of Civil Procedure 25(d)(1), Astrue is hereby substituted in for Commissioner JoAnne B. Barnhart, who was the Commissioner at the time the suit was filed.